

YELLOWSTONE COUNTY BOARD OF COUNTY COMMISSIONERS

Resolution No. 21-82

Resolution on Protests to Alter Blue Creek Fire Service Area

WHEREAS, pursuant to Section 7-33-2401(4)(a) of the Montana Code Annotated, a board of county commissioners has the authority to alter a fire service area under the procedure contained in Section 7-33-2401(2) of the Montana Code Annotated. Pursuant to Section 7-33-2401(2) of the Montana Code Annotated, a board of county commissioners to alter an area must: pass a resolution of intent, hold a public hearing, accept protests at the public hearing, pass a resolution, continue to accept protests for 60 days after the resolution and if enough property owners have not protested 60 days after the passage of the resolution, the alteration is effective, if enough property owners have protested, the alteration is not effective.

WHEREAS, the Blue Creek Fire Service Area provides fire service in the Blue Creek area of Yellowstone County. The Area is managed by a Board of Trustees. The Area has its own fire department. Meadowlark of Billings, LLC requested the Board of Trustees include land it owns adjacent to the Area into the Area. Meadowlark owns the Southwest ¼ of the Southwest ¼ of Section 20 of Township 1 North of Range 26 East, the West ½ of the Southeast ¼ of the Southwest ¼ of Section 20 of Township 1 North of Range 26 East, Tracts 1 through 6 of Certificate of Survey No. 926 and Tracts 1 through 2 of Certificate of Survey No. 990. The tax code for the land is D01938. The land contains numerous manufactured homes. Meadowlark owns the land the manufactured homes occupy. Meadowlark does not own the manufactured homes. The Board of Trustees considered the request from Meadowlark. The Board of Trustees believed it could accommodate an expansion of the Area to include the land. The Board of Trustees advised the Yellowstone County Board of County Commissioners of its decision.

WHEREAS, on July 27, 2021, the Yellowstone County Board of County Commissioners passed a resolution of intent to alter the Area. On July 30, 2021 and August 6, 2021, the County Clerk and Recorder published notice of a public hearing on the alteration. On August 31, 2021, the Board of County Commissioners held a public hearing on the alteration. The Board of County Commissioners received public comment on the alteration. The Board of County Commissioners received no protests. The Board of County Commissioners passed a resolution to alter the Area subject to protests. On November 1, 2021, the time to protest expired. No property owners filed a protest.

NOW THEREFORE, BE IT RESOLVED,

The August 31, 2021 resolution to alter the Blue Creek Service Area to include the land owned by Meadowlark of Billings LLC legally described as the Southwest ¼ of the Southwest ¼ of Section 20 of Township 1 North of Range 26 East, the West ½ of the Southeast ¼ of the Southwest ¼ of Section 20 of Township 1 North of Range 26 East, Tracts 1 through 6 of Certificate of Survey No. 926 and Tracts 1 through 2 of Certificate of Survey No. 990 with a tax code of D01938 is effective as of November 1, 2021. No property owners protested the alteration.

Passed and Adopted on the 2nd day of November 2021.

BOARD OF COUNTY COMMISSIONERS
YELLOWSTONE COUNTY, MONTANA

Donald W. Jones, Chair

John Ostlund, Member

Denis Pitman, Member

ATTEST:

Jeff Martin, Clerk and Recorder

State of Montana }
 ss.
County of Yellowstone }

On November 2, 2021, before me personally appeared Donald W. Jones, John Ostlund and Denis Pitman, members of the Board of County Commissioners of Yellowstone County, and Jeff Martin, the Yellowstone County Clerk and Recorder, and acknowledged to me that they executed this Resolution of Protests to Alter Blue Creek Fire Services Area on behalf of Yellowstone County in their official capacities as Board Members and the Clerk and Recorder.

Notary Public For the State of Montana
Residing at Billings, Montana.
My commission expires _____

(Notarial Seal)

Attachments

Affidavit of Clerk and Recorder
Map of Area and land to be added to Area
List of landowners of land to be added to Area